

FIFTY-FOURTH LEGISLATIVE DAY

The House met at 9:15 a.m. and was called to order by Mr. Speaker McWherter.

The proceeding were opened with prayer by Dr. Morgan Babb, Pastor, King Solomon Missionary Baptist Church, Nashville, Tennessee.

Representative Love led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 90

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--90.

The Speaker announced that Representative Elsea was excused.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1629--To make provisions, Commissioner of Highways, Lewis County.

1742--To amend Charter, Spring Hill; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

177--Relative to congratulating Alan Greeter; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CALENDAR

House Bill No. 1369--To require parental consent, certain blood donations.

Mr. Moore (Shelby) moved that House Bill No. 1369 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1369 by deleting Section 1 of the bill in its entirety and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 68-32-101, is amended by deleting the remainder of sentence two following the semicolon after the word "guardian" and adding the following language:

provided, that nothing in this chapter shall preclude a person seventeen (17) years of age without such written consent from donating blood where conditions exist constituting a threat to life or limb of an identified individual and there is inadequate time to access blood from routine sources.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1369, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representative voting no was: Cobb--1.

A motion to reconsider was tabled.

House Bill No. 1641--To make certain provisions, tax liens.

Mr. Buck moved that House Bill No. 1641 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	79
Noes	9

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Ellis, Gafford, Gaia, Gill, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wood, Work, Yelton and Mr. Speaker McWherter--79.

Representatives voting no were: Chiles, Duer, Ford, Harrill, Hassell, Henry, McNally, Nance, Robertson--9.

A motion to reconsider was tabled.

House Bill No. 977--To remove certain provisions, revenue laws.

On motion, House Bill No. 977 was made to conform with Senate Bill No. 201.

On motion, Senate Bill No. 201, on same subject, was substituted for House Bill No. 977.

Mr. Bragg moved that Senate Bill No. 201 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

House Bill No. 1826--To make certain provisions, natural areas.

Mr. McNally moved that House Bill No. 1826 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

House Bill No. 1838--To make certain provisions, unemployment compensation.

Mr. Hudson moved that House Bill No. 1838 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1500--To amend Section 67-6-102, Code.

On motion, House Bill No. 1500 was made to conform with Senate Bill No. 1636.

On motion, Senate Bill No. 1636, on same subject, was substituted for House Bill No. 1500.

Mr. Stafford moved that Senate Bill No. 1636 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

House Joint Resolution No. 297--Relative to study, Department of Corrections.

Mr. Love moved that House Joint Resolution No. 297 be adopted.

Mr. Love moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 297 by deleting from the first resolving clause the words and figures "twenty-five (25) members", and by substituting instead the words and figures "twenty (20) members".

AND FURTHER AMEND by deleting the word and figure "Two (2)" wherever it appears in the first resolving clause, and by substituting instead the word and figure "One (1)".

AND FURTHER AMEND by adding the following language in the first resolving clause between the language "Senate State and Local Government Committee;" and "One (1) from the Attorney General Conference;":

One (1) member from the House Agriculture Committee;

AND FURTHER AMEND by adding the following language at the end of the last resolving clause:

Such interim report shall be submitted to the Governor and to the General Assembly.

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 297, as amended, was adopted by the following vote:

Ayes	80
Noes	8

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Buck, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ford, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Yelton and Mr. Speaker McWherter--80.

Representatives voting no were: Atchley, Bragg, Chiles, Duer, Ellis, Harrill, Johnson and Nance--8.

A motion to reconsider was tabled.

House Bill No. 1509--To provide for certain branch banks.

Mr. Naifeh moved that House Bill No. 1509 be passed on third and final consideration.

Mr. Naifeh moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1509 by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated Section 45-2-1303 is amended by deleting the last sentence and substituting instead the following:

"Notwithstanding the provisions of Section 45-2-614: (1) the resulting state bank may create and operate branch banks in any county where the merging banks or any branch of either of the merging banks were located prior to the merger and (2) a state bank, whether or not a merging bank, with approval of the Commissioner, may create and operate branch banks in any county where a branch bank, office, or agency of such bank was maintained and operated on April 6, 1925."

On motion, the amendment was adopted.

Thereupon, House Bill No. 1509, as amended, passed its third and final consideration by the following vote:

Ayes	90
Noes	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives voting no were: Crain and Sir--2.

A motion to reconsider was tabled.

House Bill No. 1504--To amend Section 36-415, Code.

Mr. McKinney moved that House Bill No. 1504 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representative voting no was: Dills--1.

A motion to reconsider was tabled.

House Bill No. 1808--To restrict sale and purchase, classified assets.

Mr. Webb moved that House Bill No. 1808 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

House Bill No. 1809--To make certain provisions, state-chartered savings and loan association.

Mr. Webb moved that House Bill No. 1809 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

House Bill No. 1810--To make certain provisions, credit unions.

Mr. Webb moved that House Bill No. 1810 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	2
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wood, Work and Yelton--88.

Representatives voting no were: Covington and Pickering--2.

Representative present and not voting was: Dixon--1.

A motion to reconsider was tabled.

House Bill No. 1804--To make certain provisions, liabilities of closed banks.

Mr. Webb moved that House Bill No. 1804 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

House Bill No. 1437--To make certain provisions, special occasion licenses.

On motion, House Bill No. 1437 was made to conform with Senate Bill No. 1445.

On motion, Senate Bill No. 1445, on same subject, was substituted for House Bill No. 1437.

Mr. Phillips moved that Senate Bill No. 1445 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	72
Noes	18

Representatives voting aye were: Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Gill, Hassell, Henry, Hudson, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson

(Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers and Mr. Speaker McWherter--72.

Representatives voting no were: Anderson, Atchley, Bell, Bragg, Dills, Ford, Harrill, Herndon, Hillis, Hurley, Huskey, McAfee, Nance, Stafford, Stallings, Wood, Work and Yelton--18.

A motion to reconsider was tabled.

House Bill No. 1829--To correct typographical error in Scenic Rivers Act.

Mr. Severance moved that House Bill No. 1829 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

House Bill No. 1488--To make certain provisions, Consolidated Retirement System.

Mr. Rhinehart moved that House Bill No. 1488 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1488 by adding a new section after Section 14 which shall read as follows and by renumbering the remaining sections accordingly:

SECTION ____. Tennessee Code Annotated, Section 8-36-201 is amended by adding a new subsection at the end thereof which shall read as follows:

Notwithstanding any other provisions to the contrary, upon retirement, any member who is a general employee of the Hamilton County Board of Education who has unused accumulated sick leave shall be credited with such accrued leave as creditable service under the provisions of TCA, 8-34-604(c) provided the Board of Education passes the resolution required in subsection 8-34-604(c)(3) accepting the liability for this credit within ninety (90) days of the effective date of this act.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1488, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work and Yelton--91.

Representative present and not voting was: Hudson--1.

A motion to reconsider was tabled.

CONSENT CALENDAR

Senate Joint Resolution No. 160--Relative to congratulating Coach Tony Hardin.

Senate Joint Resolution No. 161--Relative to honoring Steve Lacy.

Senate Joint Resolution No. 162--Relative to commending Dr. Jack Rumbaugh.

House Joint Resolution No. 346--Relative to honoring Turner Peebles.

House Joint Resolution No. 349--Relative to honoring Coach Mary Lou Johns, Memphis State.

House Joint Resolution No. 350--Relative to congratulating Humboldt Board of Education.

House Joint Resolution No. 351--Relative to congratulating Crockett County High School basketball team.

House Joint Resolution No. 352--Relative to memory, former State Representative Frank Garner.

House Joint Resolution No. 353--Relative to honoring Mayor Joseph G. Taylor.

House Joint Resolution No. 356--Relative to congratulating William H. Walker, III.

House Joint Resolution No. 357--Relative to congratulating Adamsville High School football team.

Mr. Gill moved that House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

RESOLUTION LYING OVER

Senate Joint Resolution No. 176--Relative to memory, Phillip Cockerman.

Under the rules, Senate Joint Resolution No. 176 was referred to the Committee on Calendar and Rules.

Mr. Herndon moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 378 out of order, which motion prevailed.

House Joint Resolution No. 378--Relative to commending Ruth Priestley Lockart--By Herndon.

Mr. Herndon moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 378, which motion prevailed.

Mr. Herndon moved that House Joint Resolution No. 378 be adopted, which motion prevailed.

A motion to reconsider was tabled.

Mr. Miller moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 178 out of order, which motion prevailed.

Senate Joint Resolution No. 178--Relative to congratulating Mr. and Mrs. Willard Vincent.

Mr. Miller moved that Senate Joint Resolution No. 178 be concurred in, which motion prevailed.

A motion to reconsider was tabled.

Mr. Davis (Pickett) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 381 out of order, which motion prevailed.

House Joint Resolution No. 381--Relative to congratulating Celina High School boys' basketball team--By Davis (Pickett).

Mr. Davis (Pickett) moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 381, which motion prevailed.

Mr. Davis (Pickett) moved that House Joint Resolution No. 381 be adopted, which motion prevailed.

A motion to reconsider was tabled.

Mr. Moody moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 377 out of order, which motion prevailed.

House Joint Resolution No. 377--Relative to recognizing Little Dutch Restaurant, Morristown--By Moody.

Mr. Moody moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 377, which motion prevailed.

Mr. Moody moved that House Joint Resolution No. 377 be adopted, which motion prevailed.

A motion to reconsider was tabled.

Mr. Murray moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 177 out of order, which motion prevailed.

Senate Joint Resolution No. 177--Relative to congratulating Alan Greeter.

Mr. Murray moved that Senate Joint Resolution No. 177 be concurred in, which motion prevailed.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 91

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--91.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 106--Relative to congratulating staff, Memphis Magazine--By Kent.

Under the rules, House Resolution No. 106 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 368--Relative to congratulating Jefferson County High School basketball coach, Dennis Roach--By Ford, Huskey, Hurley and Robertson.

Under the rules, House Joint Resolution No. 368 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 369--Relative to congratulating Coach Phil Lee, Vanderbilt University Women's basketball team--By Chiles, Kisber, Wallace and Cobb.

Under the rules, House Joint Resolution No. 369 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 371--Relative to honoring Evangelist, Nettie B. Rogers--By Brewer and King (Shelby).

Under the rules, House Joint Resolution No. 371 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 372--Relative to memory, Clarence M. Mitchell, Jr.--By Drew, DeBerry, Withers, King (Shelby), Love, Dixon, Brewer, Robinson (Hamilton), Jones, Pruitt and Mr. Speaker McWherter.

Under the rules, House Joint Resolution No. 372 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 374--Relative to study, certain laws, hazardous substances--By Kernell, Ellis, Johnson, Clark (Davidson) and Williams.

The Speaker referred House Joint Resolution No. 374 to the Committee on Labor and Consumer Affairs.

House Joint Resolution No. 376--Relative to congratulating Coach Dana Kirk, Memphis State University--By Gill, Byrd, Kent, Hassell, Williams, Nance, Moore (Shelby), Shirley, Dixon and King (Shelby).

Under the rules, House Joint Resolution No. 376 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILL

House Bill No. 2235--To make certain provisions, Monroe County School Board--By Harrill.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2232--To amend Charter, Mayville.

Passed second consideration and held without reference.

House Bill No. 2233--To provide for four-year term certain officials, Dyersburg.

Passed second consideration and held without reference.

House Bill No. 2234--To amend Charter, Centertown.

Passed second consideration and held without reference.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 975--To regulate penalty, driving while intoxicated.

Passed first consideration.

Senate Bill No. 1080--To regulate licensing, health care facilities.

Passed first consideration.

Senate Bill No. 1313--To regulate Civil Defense and Disaster Compact.

Passed first consideration.

Senate Bill No. 1320--To regulate Board of Trustees for Tuberculosis Control.

Passed first consideration.

Senate Bill No. 1321--To regulate Board of Examiners for Nursing Home Administrators.

Passed first consideration.

Senate Bill No. 1757--To provide procedure, refunding erroneous tax payments.

Passed first consideration.

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2232, 2233 and 2234.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, April 2, 1984: House Bills Nos. 1599, 1825, 1828, 1510; Senate Joint Resolution No. 176; House Resolution No. 106; House Joint Resolutions Nos. 368, 369, 371, 372, 376; and House Bills Nos. 2232, 2233 and 2234.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

342--Relative to commending National Health Screening Council; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 74, 1402, 1440, 1527, 1533 and 1776; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 74, 1402, 1440, 1527, 1533 and 1776.

SPONSOR ADDED

Without objection, the rules were suspended to allow the following member to add his name as sponsor to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 1615--Owen

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, April 2, 1984: House Bills Nos. 1512, 1860, 1428, 1625 and 1811.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House bills Nos. 1369, 1488, 1504, 1509, 1641, 1804, 1808, 1809, 1810, 1826, 1829 and 1838; and House Joint Resolution Nos. 297, 346, 349, 350, 351, 352, 353, 356, 357, 377, 378

and 381; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

588--To amend Section 40-10-110, Code;

1688--To provide compensation, mayor and councilmen, Luttrell;

1875--To levy tax on lodgings, Claiborne County;

1909--To provide fund for medically-indigent, Tipton County;

1980--To update city charter, Lewisburg;

1981--To provide tax on lodgings, Carter County;

1982--To increase hotel-motel tax, Henderson County;

1986--To levy wheel tax, Lawrence County;

2097--To regulate amusement tax, Knox County;

2148--To reduce litigation tax, Coffee County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1346--To regulate certain ammunition;

1424--To fix definition, certain criminal offense;

1482--To allow certain witnesses, death execution;

1524--To regulate Tennessee Judicial Conference;

1579--To make certain provisions, conflicts of interest, certain officials;

1580--To regulate coin-operated amusement devices;

1761--To regulate corrected assessments, delinquent taxes; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 307, 1442, 1629 and 1742; House Resolutions Nos. 102 and 105; House Joint Resolutions Nos. 348, 370 and 373; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 307, 1442, 1629 and 1742; House Resolutions Nos. 102 and 105; and House Joint Resolutions Nos. 348, 370 and 373.

On motion of Mr. Naifeh the House adjourned until 5:00 p.m., Monday, April 2, 1984.